

SCHEDULE 1

Amendments of the POA 1985 and the CRCA 2005

PART 1

The POA 1985

3.—(1) Section 5 (conduct of prosecutions on behalf of the CPS by a person appointed by the DPP) is amended as follows.

(2) After subsection (1) insert—

“(1A) The Director may at any time appoint such a person—

- (a) to exercise a function of the Director under section 3(2)(ab) or (bb) in relation to a class or description of criminal proceedings specified in the appointment;
- (b) to exercise a function of the Director under section 3(2)(ee) in relation to—
 - (i) such criminal proceedings as are specified in the appointment, or
 - (ii) a class or description of criminal proceedings specified in the appointment;or
- (c) to appear in—
 - (i) Revenue and Customs cash recovery proceedings specified in the appointment, or
 - (ii) a class or description of Revenue and Customs cash recovery proceedings specified in the appointment.

(1B) In subsection (1A)—

“Revenue and Customs cash recovery proceedings” means proceedings in which the Director or a Crown Prosecutor would otherwise appear by virtue of section 302A(2) of the Proceeds of Crime Act 2002⁽¹⁾ (cash recovery proceedings relating to revenue and customs matters).”

(3) In subsection (2), for “this section” substitute “subsection (1) or exercising functions by virtue of an appointment made under subsection (1A)”.

(1) 2002 c. 29; section 302A was inserted by the Serious Crime Act 2007, section 84(1); it was amended by the same Act, section 79, Schedule 11, paragraphs 1 and 12.